

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2021-340-T - ORDER NO. 2022-22  
FEBRUARY 2, 2022

IN RE	Application of Truemove LLC d/b/a College HUNKS Hauling Junk & Moving to Amend Tariff	) ORDER APPROVING ) PROPOSED TARIFF ) AMENDMENTS IN PART, AND ) DENYING PROPOSED ) AMENDMENTS IN PART
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**I. INTRODUCTION**

This matter comes before the Public Service Commission of South Carolina (Commission) by the Application of Truemove LLC d/b/a College HUNKS Hauling Junk & Moving (Truemove) to amend its tariff. The company holds a Class E, household goods motor carrier certificate, and seeks approval to increase its hourly rates and to make other tariff changes. We approve the proposed tariff amendments in part as discussed herein and we deny in part the remaining portions of the proposed tariff amendments.

**II. FACTS, PROCEDURAL HISTORY, and EVIDENCE OF RECORD**

The Commission first granted Truemove Class E certification as a household goods motor carrier on a state-wide basis on May 14, 2019.<sup>1</sup> In its application filed on October 28, 2021, Truemove seeks permission to make several amendments to its current tariff. The application and the resulting Notice of Filing set forth the following proposed amendments to six (6) sections of Truemove's tariff:

Section 1.1 – Hourly Rates and Charges  
a. Removal of weekend rate

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<sup>1</sup> Order No. 2019-302 in Docket No. 2019-62-T.

- b. Implementation of “Standard Rate” and “Promotional Rate”
- c. Promotional Rate qualifications outlined in Section 4
- d. “Per Man” increase from \$30 to \$40
- e. Verbiage added about adding additional trucks to job
- f. Table added providing pricing examples for 2 truck jobs

#### Section 1.2 – Minimum Hourly Charges

- a. Peak Season (May 1 – September 30) – Two Hour Minimum
- b. Recognized Federal Holiday – Three Hour Minimum
- c. Cancellation within 48 hours results in a one-hour minimum charge

#### Section 2.1 – Bulky Items

- a. Removed hot tubs, whirlpools, riding lawnmowers, and golf carts from items we will move
- b. Gun Cabinet modified from “Standard/Steel” to “Over/Under 400 lbs.”
  - i. Standard/Steel - \$90/\$150
  - ii. Under/Over 400 lbs - \$100/\$200
- c. Added Large screen televisions (60” & Larger) - \$50

#### Section 2.9 – Right to Decline Move

- a. Added: to decline any job deemed unsafe, unclean, inhospitable/aggressive toward workers, or in the presence of illegal substances.

#### Section 3.1.2 - Claims

- a. Modified time to file a claim from 30 days to 7 days

#### Section 4.0 - Promotions

- a. Changed wording from “Weekday Rate regardless of day” to “Promotional Rate”
- b. Added BNI members, networking groups, and marketing event leads to promotional rate recipients.

c. Added wording on tracking/promotional rate requirements.

Notice of Filing, p. 1.

By letter dated October 29, 2021, the Clerk's Office of the Commission instructed Truemove to publish once a Notice of Filing (Notice) in newspapers of general circulation. Among other things, the Notice summarized the Company's proposed tariff changes and established interested persons may intervene in the matter until December 6, 2021. The Commission required Truemove to publish the Notice on or before November 15, 2021, and to provide proof of publication to the Commission no later than December 6, 2021. Truemove published the Notice in *The State*, a newspaper published in the City of Columbia, in Richland County, on November 16, 2021, one day after the required publication date, and submitted proof of filing to the Commission on December 6, 2021. No person intervened as a party of record.

The South Carolina Office of Regulatory Staff (ORS), a party of record pursuant to section 58-4-10(B) of the South Carolina Code of Laws (Supp. 2021), filed a notice of appearance of counsel on November 8, 2021.

On December 15, 2021, Commission staff contacted all parties by electronic mail asking the company to provide its reasons for seeking amendments to its tariff. Truemove promptly responded indicating, in part:

We are requesting an increase for the following reasons:

- Our fuel costs have increased approximately 32% in the last year
- we increased our base hourly wage by \$2 an hour to remain competitive with local businesses

- the cost of other supplies (tape, boxes, stretch wrap, etc) have increased by approximately 30% since we opened in 2019
- approximately 25% increase in insurance rates
- we are incorporating move products like tape and stretch wrap into the cost so there is no additional charge at the end
- we are removing the weekend rate so there is no need to explain to a client why moving on the weekend is more expensive (one quote for all 6 days)
- we added a peak season with additional rates and hourly minimums to mitigate the risk of overbooking—helps prioritize jobs during peak season

This is our first request for an increase since opening in 2019. The changes are in response to the increased cost of goods and labor; as well as; correcting some issues with the initial filing. If needed, we can give an explanation for every line item change requested.

ORS reviewed the application of Truemove and conducted a compliance review of the company on December 3, 2021. On January 11, 2022, ORS informed the Commission Truemove complies with Commission rules and regulations. ORS noted Truemove was also in compliance with its Annual Report and Gross Receipt filing requirements, and ORS verified it did not receive any consumer complaints regarding the company in the past twelve months. ORS also provided to the Commission a comparison table, copied below, comparing the current tariff rates of Truemove with the proposed rates. The correspondence from ORS did not address proposed amendments other than the rates.

January 11, 2022

ORS Tariff Comparison  
Truemove LLC dba College HUNKS Hauling Junk and Moving  
Docket No. 2021-340-T

Exhibit A

	Description	Unit	Approved Rate	Proposed Rate	Increase Amount	% Increase
<b>Rates Per Hour</b>	Rate per two movers, residential	Per Hour	\$115.00	\$115.00	\$0.00	0.00%
<b>Regular Season- Promotional Rate</b>	Rate per three movers, residential	Per Hour	\$145.00	\$155.00	\$10.00	6.90%
	Rate per four movers, residential	Per Hour	\$175.00	\$195.00	\$20.00	11.43%
<b>Rates Per Hour</b>	Rate per two movers, residential	Per Hour	\$115.00	\$125.00	\$10.00	8.70%
<b>Regular Season- Standard Rate</b>	Rate per three movers, residential	Per Hour	\$145.00	\$165.00	\$20.00	13.79%
	Rate per four movers, residential	Per Hour	\$175.00	\$205.00	\$30.00	17.14%
<b>Rates Per Hour</b>	Rate per two movers, residential	Per Hour	\$115.00	\$125.00	\$10.00	8.70%
<b>Peak Season- Promotional Rate</b>	Rate per three movers, residential	Per Hour	\$145.00	\$165.00	\$20.00	13.79%
	Rate per four movers, residential	Per Hour	\$175.00	\$205.00	\$30.00	17.14%
<b>Rates Per Hour</b>	Rate per two movers, residential	Per Hour	\$115.00	\$135.00	\$20.00	17.39%
<b>Peak Season- Standard Rate</b>	Rate per three movers, residential	Per Hour	\$145.00	\$175.00	\$30.00	20.69%
	Rate per four movers, residential	Per Hour	\$175.00	\$215.00	\$40.00	22.86%
<b>Additional Charges</b>	Additional Man	Each Per Hour	\$30.00	\$40.00	\$10.00	33.33%
<b>Bulky Items</b>	Gun Cabinet	Each	\$90.00	\$100.00	\$10.00	11.11%
	Gun Cabinet over 400 lbs	Each	\$150.00	\$200.00	\$50.00	33.33%

On January 13, 2021, the Docket came before the Commission in a regularly scheduled business meeting. The Commission heard the following motion from a Commissioner:

I move the Commission approve the application of Truemove, LLC, d/b/a College Hunks Hauling Junk and Moving, to amend its rates and charges. However, I move the Commission deny Truemove's request to require a customer to report a claim for damages in seven days. The currently approved thirty-day allowance is in keeping with the Commission's recent findings that a minimum of thirty days to make a claim is just and reasonable to the consumer. I also move that the Commission direct Truemove to establish the thirty-day claim period in its bill of lading so that the bill of lading is consistent with the tariff. Truemove shall submit a final amended tariff and final amended bill of lading to the Commission within fifteen days.

The Commission engaged in discussion regarding the request of Truemove to amend its tariff to reduce the amount of time a customer is required to make a claim for damages to the company, from the currently-approved time frame of thirty days to seven days. The Commission voted to approve the motion. Four commissioners voted in favor of the motion and two commissioners voted against the motion.

### **III. LAW**

The Commission is specifically authorized to regulate carriers of household goods, and to set their rates and charges: “[t]he commission must promulgate regulations necessary to control entry and certification standards, set rates and charges, and establish enforcement procedures and powers to govern the operations of carriers of household goods and hazardous waste for disposal.” S. C. Code Ann. § 58-23-590 (2015).

The Commission is authorized to fix or approve the rates charged by every South Carolina motor vehicle carrier: “[t]he commission shall regulate every motor carrier in this State and fix or approve the rates, fares, charges, classifications, and regulations pertaining to each motor carrier . . . . The rates once established remain in effect until such time when the commission determines the rates are unreasonable.” § 58-23-1010.

In addition, Regulation 103-190 requires all tariffs to be approved before a company may perform any service: “No motor freight carrier who operates under a Certificate of PC&N may operate or perform any service under its operating authority until rates, fares, charges, classifications, and rules for the services to be performed shall have been approved by the commission.” S.C. Code Ann. Regs. 103-190 (2012).

Furthermore, all motor carriers operating under Class E certification must establish just and reasonable regulations and operating procedures:

Every motor carrier of property operating under a Certificate of PC&N and FWA shall provide safe and adequate service, equipment, and facilities for the transportation of property, and shall establish, observe, and enforce just and reasonable regulations and practices relating thereto and to the manner and method of presenting, marking, packing, and delivering property for transportation, the facilities for transportation, and all other matters relating to or connected with the transportation of property.

S.C. Code Ann. Regs. 103-195.

The Commission is authorized to change or revise any rates or rules of a carrier operating with a certificate of public convenience and necessity:

1. The commission shall make, fix, establish, or allow just and reasonable rates, fares, charges, classifications, and rules for all motor carriers subject to its rate jurisdiction.
2. As often as circumstances may require, the commission upon notice and hearing, if deemed necessary, from time to time may change or revise, or cause to be changed or revised, any rates, fares, charges, classifications, and rules of a carrier who operates under a Certificate of PC&N.

S.C. Code Ann. Regs. 103-191.

“Every rate made, demanded, or received by any motor carrier operating under a Certificate of PC&N . . . shall be just and reasonable.” S.C. Code Ann. Regs. 103-192.

The Commission may consider certain factors in approving rates:

In the exercise of its power to prescribe just and reasonable rates for the transportation of passengers or property by common carriers operating under a Certificate of PC&N, the Commission may give due consideration, among other factors, to the need in the public interest of adequate and efficient transportation service by such carriers at the lowest

cost consistent with the furnishing of such service and to the need of such carriers for revenues sufficient to enable them, under economical and efficient management, to provide such service.

S.C. Code Ann. Regs. 103-194.

Once rates are approved, motor carriers are prohibited from charging more or less than the rates specified in lawful tariffs, schedules, or by specific order of the Commission:

[N]o motor carrier operating under a Certificate of PC&N shall charge . . . a greater or lesser or different compensation for transportation, or for any service rendered, than the rates, fares, and charges specified in the lawfully applicable tariffs or schedules in effect from time to time.

S.C. Code Ann. Regs. 103-198.

#### **IV. DISCUSSION**

Truemove requests approval to increase its hourly rates and to make other tariff changes. Truemove provided specific information to the Commission, as requested, setting forth the reasons for amending its rates and charges. The ORS Impact Study reveals the company complies with Commission rules and regulations. ORS has not received any consumer complaints regarding Truemove in the last twelve months.

The rates and certain other requested amendments appear just and reasonable with the exception of Truemove's request to limit the time a customer may make a claim for damages from the current thirty (30) days to seven (7) days. The Commission determined a minimum of thirty days to make a claim is just and reasonable to the consumer, and thus declined to approve the requested amendment to the current thirty-day claim period.



## **V. FINDINGS OF FACT**

1. After review of the Application, the Comparison Study and Impact Report prepared by ORS, and the entire record, we find the proposed amendments to the rates charged by Truemove, including the proposed changes to sections 1.1, 1.2, 2.1, 2.9, and 4.0, are just and reasonable.

2. We find the request of Truemove to amend the tariff in section 3.1.2, limiting the time a customer may make a claim for damages to seven days, is not just and reasonable to the customer, and we decline to approve the request to amend the claim period.

3. We find ORS has determined Truemove is in compliance with all applicable Commission rules and regulations, including the Annual Report and Gross Receipt filing requirements.

4. We find ORS has not received any consumer complaints about this Applicant in the past twelve months.

## **VI. CONCLUSIONS OF LAW**

1. The Commission has the authority to set, review, and revise the tariffs of motor carriers as set forth in the Code of Laws of South Carolina and the South Carolina Code of State Regulations.

2. We conclude the proposed amendments to the hourly rates and certain other tariff changes in sections 1.1, 1.2, 2.1, 2.9, and 4.0 are just and reasonable pursuant to Regulations 103-191, 102, 194, and 195.

3. We conclude the proposed amendment to section 3.1.2 is not a just and reasonable practice pursuant to Regulation 103-195.

## **VII. ORDERING PROVISIONS**

### **IT IS THEREFORE ORDERED THAT:**

1. The application of Truemove seeking to amend sections 1.1, 1.2, 2.1, 2.9, and 4.0, is granted. Thus, the proposed Tariff amendments filed on October 28, 2021 and corrected on December 6, 2021 by Truemove to Sections 1.1, 1.2, 2.1, 2.9, and 4.0 of its proposed new tariff are just and reasonable and approved by the Commission.

2. The application of Truemove seeking to amend section 3.1.2 is denied. Thus, the proposed Tariff amendments filed on October 28, 2021 and corrected on December 6, 2021 by Truemove to Section 3.1.2, reducing time a consumer or customer of Truemove has to file a claim from thirty (30) days to seven (7) days, is not just and reasonable and not approved.

3. Truemove shall provide to the Commission and ORS a Final Amended Tariff, incorporating the decisions of the Commission in this docket, within thirty (30) days of the issuance of this order.

4. Truemove shall provide to the Commission and ORS a copy of its Bill of Lading to the Commission within thirty (30) days of the issuance of this order. The Bill of Lading shall be revised, if necessary, to conform to the Final Revised Tariff as set forth in this Order.

5. The Final Amended Tariff and Bill of Lading resulting from this Order must be filed by Truemove to become effective. Upon filing with the Commission and copy to the Office of Regulatory Staff, Truemove may implement all rates, charges, terms and conditions in its Final Amended Tariff and corresponding Bill of Lading.

6. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



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Justin T. Williams, Chairman  
Public Service Commission of  
South Carolina